



TOWN OF DAVIE
Personnel Policy

Policy Title: Sexual Harassment Prevention & Intervention	Effective Date:	August 6, 2008
	Revision Date(s):	N/A
	Latest Review:	August 6, 2008

Policy Statement:

- A.** The Town of Davie is committed to providing a work environment free of unlawful harassment.
- B.** It is the policy of the Town of Davie to ensure that all employees are aware of the Sexual Harassment policy of the Town and that sexual harassment is not tolerated in any form.
- C.** This policy establishes the Town's Sexual Harassment Complaint Procedure providing for a prompt and effective investigation in each case and protecting good faith complaints from retaliation.

Overview

Sexual harassment is a form of employee misconduct which undermines the integrity of the employment relationship. Town policy dictates that all employees be able to work in an environment free from unsolicited and unwelcome sexual harassment. Every employee has a responsibility to comply with this policy. Every manager and supervisor has a duty to support the objectives of the policy.

Definitions

Sexual Harassment is defined as unsolicited verbal comments, gestures or physical contact of a sexual nature which are unwelcome. Any action which involves implicit or explicit coercive sexual behavior to control, influence or affect the career, salary or position of another employee or applicant also constitutes sexual harassment. Sexual harassment is also any conduct of a sexual nature that creates an offensive, hostile, or intimidating working environment and prevents an individual from effectively performing the duties of their position.

Guidelines

Prohibited Conduct

- A. Quid Pro Quo – Using a person’s response to a request for sexual favors as a basis for an employment decision. Examples include, but are not limited to, the following:
 - 1. Requesting or demanding sexual favors in exchange for employment opportunities
 - 2. Submitting unfair or inaccurate job evaluations, or denying training, promotion, or access to any other employment opportunity, because sexual advances have been rejected.
- B. Hostile Work Environment – Unwelcome conduct of a sexual nature that is severe or pervasive and that a reasonable person would find abusive, intimidating, or hostile. Examples of this kind of sexual harassment include, but are not limited to, the following:
 - 1. Sexual comments, teasing, or jokes; sexual slurs, demeaning epithets, derogatory statements, unwanted sexual advances, invitations, or comments, or other verbal abuse;
 - 2. Graphic or sexually suggestive comments about an individual’s attire or body;
 - 3. Inquiries or discussions about sexual activities;
 - 4. Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, or gestures;
 - 5. Sexual touching, brushing up against another in a sexual manner, graphic or sexually suggestive gestures, cornering, pinching, grabbing, kissing, or fondling;
 - 6. Retaliation for having reported or threatened to report harassment.
- C. Harassment by Non-employees – The Town of Davie will take all reasonable steps to prevent or eliminate sexual harassment by non-employees including contactors, vendors, and citizens who are likely to come in contact with employees.

Complaint Procedure

A. REPORTING & NON-RETALIATION

1. All employees should first report sexual harassment concerns to his/her supervisor and or department director. If an employee does not receive relief and/or the problem is not eliminated, the employee should report the situation to the Human Resources Director. In the case where the alleged harasser is the supervisor, or in the supervisory chain of reporting, employees are to report the behavior directly to the Human Resources Director
 - a. Department directors must notify the Human Resources Director/Department of any/all complaints of sexual harassment reported by employees immediately upon notification.
 - b. Complaints or allegations of sexual harassment shall be examined impartially and investigated promptly and effectively.
 - c. In each case, the individual facts and specifics shall be examined and weighed for objective determinations by the appropriate authorities.
 - d. As in all grievances, it is the employee's responsibility to factually support the allegations. Based on the serious nature of sexual harassment allegations, complaints which turn out to be unsubstantiated or made in bad faith may result in disciplinary action. The Town of Davie will not retaliate against an employee for filing a complaint in good faith and will not tolerate or permit retaliation by management, employees or co-workers.

B. PENALTIES

1. If Human Resources determines that a policy violation has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination.
2. The Town of Davie encourages all employees to report any incidents or harassment forbidden by this policy immediately so that complaints can be promptly and effectively investigated. Employees should also be aware that the Federal Equal Employment Opportunity Commission and appropriate state agencies also have procedures available for the investigation of complaints of prohibited sexual harassment.